

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE POLICE AND FIRE  
RETIREMENT SYSTEM OF THE CITY OF  
DETROIT, Derivatively On Behalf of MBIA INC.,

No. 08 Civ. 1515 (KMK) (GAY)

Plaintiff,

-against-

DAVID C. CLAPP, GARY C. DUNTON, CLAIRE L.  
GAUDIANI, DANIEL P. KEARNEY, LAURENCE  
MEYER, DAVID M. MOFFETT, DEBRA J. PERRY,  
JOHN A. ROLLS, RICHARD C. VAUGHAN,  
RICHARD H. WALKER, JEFFREY W. YABUKI,

Defendants,

-and-

MBIA INC.,

Nominal Defendant.

**NOTICE OF PLAINTIFF'S MOTION FOR FINAL APPROVAL  
OF DERIVATIVE LITIGATION SETTLEMENT**

PLEASE TAKE NOTICE THAT the Police and Fire Retirement System of the City of Detroit ("PFRS"), through counsel, hereby moves this Court before the Honorable Kenneth M. Karas, for an Order, approving the proposed settlement and approval of Plaintiff's application for an award of attorneys' fees and expenses.

PLEASE TAKE FURTHER NOTICE that in support of this motion, PFRS submits herewith (1) PFRS' Memorandum of Law in Support of Plaintiff's Motion for Final Approval of Derivative Litigation Settlement, (2) the Declaration of Denis F. Sheils, attaching the Stipulation of Compromise and Settlement, and (3) a proposed order.

Dated: January 7, 2013

Respectfully submitted,  
**KOHN, SWIFT & GRAF, P.C.**

By: /s/ Denis F. Sheils  
Joseph C. Kohn, Esq.  
Denis F. Sheils, Esq.  
William E. Hoese, Esq.  
Barbara L. Moyer, Esq.  
One South Broad Street, Suite 2 100  
Philadelphia, PA 191 07

**WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP**

Gregory M. Nespole, Esq.  
Malcolm T. Brown, Esq.  
270 Madison Avenue  
New York, NY 100 16

*Attorneys for Plaintiff Police and Fire  
Retirement System of the City of Detroit*